

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/23/2023
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAVASUTRA 6th STREET, INC. and
KAVASUTRA 10th STREET, INC.,

Plaintiffs,

-against-

ERIC ADAMS as MAYOR OF THE CITY
OF NEW YORK; the CITY OF NEW YORK;
ASHWIN VASAN as COMMISSIONER OF
THE NEW YORK CITY DEPARTMENT OF
HEALTH AND MENTAL HYGIENE; and
the NEW YORK CITY DEPARTMENT OF
HEALTH AND MENTAL HYGIENE,

Defendants.

1:23-CV-6359 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on August 23, 2023, the parties appeared for oral argument on Plaintiffs' motion for a preliminary injunction ("PI") to, *inter alia*, enjoin Defendants "from restricting, interfering, harassing, or otherwise preventing the sale of Kava" at Plaintiffs' establishments, *see* Dkt. 6; and

WHEREAS on August 9, 2023, Defendants cross-moved to dismiss the Complaint and opposed the motion for a PI, *see* Dkt. 17.

IT IS HEREBY ORDERED that, as discussed at the conference, Plaintiffs' motion for a PI is taken under advisement.

IT IS FURTHER ORDERED that Plaintiffs' deadline to amend the complaint or oppose the motion to dismiss is **September 1, 2023**. If Plaintiffs amend the Complaint and Defendants again move to dismiss, then the standard briefing schedule set forth in S.D.N.Y. Local Civil Rule 6.1(b) shall apply (as stated in Rule 4(E) of the Undersigned's Individual Practices).

IT IS FURTHER ORDERED that the deadline to complete fact discovery is **October 31, 2023**; the deadline to complete expert discovery is **December 31, 2023**.

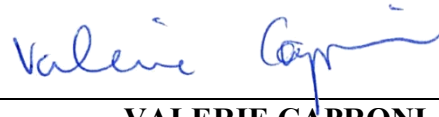
IT IS FURTHER ORDERED that the parties must appear for a status conference on **Friday, November 3, 2023 at 10:00 A.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. The parties must submit a joint letter in advance of the conference by no later than **October 26, 2023**, which sets forth, in separate paragraphs:

1. a statement of all existing deadlines, due dates, and/or cut-off dates;
2. a brief description of any outstanding motions;
3. a brief description of the status of discovery and of any additional discovery that needs to be completed;
4. a statement describing the status of any settlement discussions and whether the parties would like a settlement conference;
5. a statement of the anticipated length of trial and whether the case is to be tried to a jury;
6. a statement of whether any party anticipates filing a motion for summary judgment or a motion to exclude expert testimony;
7. any other issue that the parties would like to address at the pretrial conference; and
8. any other information that the parties believe may assist the Court in advancing the case to settlement or trial.

The parties may, at any time, submit a joint letter requesting a referral for a settlement conference with the assigned Magistrate Judge.

SO ORDERED.

Dated: August 23, 2023
New York, New York



VALERIE CAPRONI
United States District Judge